

**UNDER AGE 21—PAGE 3  
 ADMINISTRATIVE PER SE  
 SUSPENSION/REVOCATION ORDER  
 AND TEMPORARY DRIVER LICENSE**

**APS**  
 DRIVER MUST BE GIVEN A COPY OF THIS  
 ORDER WHEN COMPLETED BY THE OFFICER  
 DMV Telephone Number (916) 657-0214

LAW ENFORCEMENT AGENCY CASE NO. 23K	DETENTION OR ARREST DATE 5-2-09	FOR DMV USE ONLY		
DRIVER'S NAME (LAST, FIRST, M.I.) H. I.	DRIVER LICENSE NO. 1	CLASS 1C	STATE CA	THUMB PRINT (Right thumb or specify)
MAILING ADDRESS SANTA ROSA, CA 95401	STATE	ZIP CODE		
DOB: -90	Sex: M	Hair:	Eyes:	Ht.: 5-
Wt.: 11	Driver License: <input type="checkbox"/> Suspended/Revoked <input checked="" type="checkbox"/> Surrendered (Attached) <input type="checkbox"/> Not in Possession <input type="checkbox"/> Unlicensed <input checked="" type="checkbox"/> 0.01% or more BAC PAS or other Chemical Test Results <input type="checkbox"/> PAS or other Chemical Test Refusal <input type="checkbox"/> Forced Blood Test <input type="checkbox"/> 0.01% or more BAC (DUI Probation) <input type="checkbox"/> PAS or Other Chemical Test Refusal - (DUI Probation)			



You are hereby notified that your privilege to operate a motor vehicle will be suspended for one year or revoked for two or three years effective 30 days from the issue date of this order as shown below, and until you pay a reissue fee and file proof of financial responsibility as shown on the reverse.

**TEMPORARY DRIVER LICENSE**

This document must be carried with you and shall serve as your temporary California driver license. It is subject to the same class(es) and all restrictions as your permanent driver license. **This temporary driver license does not provide you with any driving privileges if you do not have a California driver license or your license is expired, suspended, revoked, canceled or denied.** It expires at midnight 30 days from the issue date of this order shown below.

This action is taken under authority of Section 13353 or 13353.1, or 13388, 13389, and 13353.2 of the California Vehicle Code (CVC) because you were under 21 years of age when detained or arrested or you were on DUI Probation, for driving with a blood alcohol concentration of 0.01% or more and:

<b>PAS or Chemical Test BAC 0.01% or More, or driving with a BAC of 0.01% or more while on DUI probation</b>	You completed a preliminary alcohol screening (PAS) test or a breath test and the alcohol and/or drug content of your blood was 0.01% BAC or more, or you completed a blood or urine test and the officer believes the results will show 0.01% BAC or more. (If the laboratory results show that your BAC is less than 0.01%, this suspension or revocation will be set aside. Your driver license will be reissued to you if you do not have another suspension or revocation in effect.)
<b>PAS or Other Chemical Drug Test Refusal</b>	You refused to submit to, or failed to complete, a PAS test or other chemical test of the alcohol and/or drug content of your blood

**HEARING INFORMATION**

YOU HAVE **10 DAYS** FROM RECEIPT OF THIS NOTICE TO REQUEST A HEARING TO SHOW THAT THE SUSPENSION OR REVOCATION IS NOT JUSTIFIED. *The suspension or revocation will not be stayed (delayed) unless you request a hearing within 10 DAYS from the issue date of this order and DMV cannot provide a hearing before the effective date of the suspension or revocation and make a determination.* Hearings are conducted only to determine questions of fact as described on the reverse. Your need for a license cannot be considered at a hearing. If you want a hearing or have questions regarding this matter, contact the DMV at the telephone number shown above. A telephone hearing will be conducted unless you request an in-person hearing. **Before the hearing** you may see or obtain copies of the department's evidence. **You must request copies of the department's evidence at least 10 days prior to the date set for commencement of the hearing in order to receive them prior to the hearing date.** If you want the information released to someone else, give them signed permission. **You have the right to have a sign or language interpreter present at your hearing. If you require the service of an interpreter immediately notify DMV of the need for such service.** During the hearing you may present oral testimony and/or other evidence. Testimony is taken under oath or affirmation, and the hearing is recorded. You may be represented by legal counsel, or you may represent yourself. The arresting officer(s) may be subpoenaed in this matter, if it is determined that his or her testimony is needed. If you wish to question the arresting officer(s), you have the right to have subpoenas issued on your behalf. You may subpoena any other witness(es) you feel may help your case, and you have the right to cross-examine any opposing witness(es). Blank subpoenas may be obtained on the internet at the following address <http://www.dmv.ca.gov/forms/formds.htm> or provided to you by the hearing officer upon request prior to the hearing. You are responsible for service of your subpoena(s) and any witness fees required by law. **After the hearing** the hearing officer shall make findings and render a decision.

OFFICER'S PRINTED NAME J. TODD	BADGE/ID NO. 184182	TELEPHONE NO. (707) 588-1400
AGENCY CHP	AREA 9360	COURT CODE (IF UNKNOWN, COURT NAME) SANTA ROSA
I <input checked="" type="checkbox"/> did <input type="checkbox"/> did not personally serve a copy of the Order of Suspension/Revocation to the driver on the issue date shown below.		
ISSUE DATE OF ORDER 5-2-09	SIGNATURE OF DETAINING/ARRESTING OFFICER X	
IF ORDER SERVED BY ANOTHER OFFICER: I personally served a copy of the order to the driver on the date shown below:		
ISSUE DATE	OFFICER'S PRINTED NAME	BADGE/ID NO.
		SIGNATURE OF OFFICER X

## HEARING ISSUES

### 0.01% BAC Or More

- Did the peace officer have reasonable cause to believe you were driving a motor vehicle in violation of Section 23136, or driving a motor vehicle while on probation in violation of Section 23154 CVC?
- Were you lawfully detained?
- Were you driving a motor vehicle while you were under 21 years of age with a blood alcohol concentration of 0.01% or more as measured by a preliminary alcohol screening device or other chemical test?

### Refusal To Submit To Or Failure To Complete Preliminary Alcohol Screening Test Or Other Chemical Test

- Did the peace officer have reasonable cause to believe you were driving a motor vehicle in violation of Section 23136, or driving a motor vehicle while on probation in violation of Section 23154 CVC?
- Were you lawfully detained?
- Were you told that your driving privilege would be suspended or revoked for one to three years, or be revoked for two or three years if you were on probation if you failed to complete or refused to submit to a preliminary alcohol screening test or other chemical test while under age 21?
- Did you refuse to submit to, or fail to complete, a preliminary alcohol screening test or other chemical test after being requested to do so by a peace officer?

## APPEAL RIGHTS

**Following the hearing decision**, you may request a department review in writing within 15 days from the date on the bottom of the notice telling you the results of your hearing. The fee for the department review is \$120. You may also appeal a DMV decision by filing a writ of mandamus at the superior court in your county of residence within 30 days from the date on the bottom of the notice telling you the results of your hearing.

## PENALTIES

Preliminary Alcohol Screening Test Or Other Chemical Test Results Show 0.01% BAC Or More Or Driving With a Blood Alcohol Concentration of 0.01% Or More BAC While On DUI Probation —Sections 13353.2 and 13389 CVC

**Any Offense** will result in a **1-year suspension**.

### Refusal To Submit To Or Failure To Complete A Preliminary Alcohol Screening Test Or Other Chemical Test—Section 13353 or 13353.1 CVC

**First Offense** will result in a **1-year suspension, or a 2-year revocation if on DUI probation**.

**Second Offense**, within 10 years of a separate violation of driving under the influence, including such a charge reduced to reckless driving, or vehicular manslaughter, or a violation of Section 23140 CVC, which resulted in a conviction of driving with a BAC of 0.05% or more while under the age of 21, or a separate administrative determination that you were driving with a BAC of 0.01% or more, or you refused a test, will result in a **2-year revocation, or a 3-year revocation if on DUI probation**.

**Three Or More Offenses** within 10 years of any combination of the above violations, convictions or separate administrative determinations will result in a **3-year revocation**.

## ADDITIONAL INFORMATION

An administrative review will automatically be conducted. You will be notified in writing only if the suspension or revocation is set aside. Before the suspension or revocation can be ended and a driver license issued or returned to you, a \$100 reissue fee must be paid to DMV (Sections 13353.1, 13353.2 and 14905 CVC) and you must file proof of financial responsibility by a California Insurance Proof Certificate (SR 22), \$35,000 cash deposit, or surety bond, or self insurer certificate (Section 16430 CVC). You must maintain proof of financial responsibility for three years. If you drive while your driving privilege is suspended or revoked, you may be arrested and, if convicted, jailed and/or fined and your vehicle can be impounded or sold. After a 30-day suspension, you may apply for a critical need restriction pursuant to Section 13353.8 CVC only if you completed a preliminary alcohol screening test or other chemical test which resulted in a BAC of 0.01% or more and you have a critical need to drive pursuant to Section 12513 CVC. A Critical Need Restriction can only be authorized under very **limited guidelines** set forth in §§ 12513 and 13353.8 CVC. Those guidelines include:

1. The driver must show that a specific critical need condition exist;

and

2. **ALL** other transportation must be inadequate.

DMV will not issue critical need restricted license to a person under the age of 21, if the person violated § 23136 CVC or was convicted of a separate violation of §§ 23103, 23140, 23152, 23153 or 23154 CVC, or Penal Code §§ 191.5 or 192 (c)(3), and if the person's driving privilege has been suspended or revoked under §§ 13353, 13353.1, or 13353.2 CVC within that ten-year period.

**NOTE:** For violations dated on or after September 20, 2005, a restricted license will not be available for the commercial driving privilege.

**The Administrative Per Se suspension/revocation is independent of any court sanctions.**